## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COOKEVILLE DIVISION

KATHY L. MERZ,	)
	)
Plaintiff,	) Case No. 2:09-0043
	) Judge Nixon
<b>v.</b>	) Magistrate Judge Brown
	)
MICHAEL J. ASTRUE,	)
Commissioner of Social Security,	)
	)
Defendant.	)
	ORDER

Pending before the Court is Plaintiff Kathy L. Merz's Motion for Judgment Based Upon the Administrative Record ("Plaintiff's Motion") (Doc. No. 13) and Brief in Support (Doc. No. 14), to which Defendant Commissioner of Social Security filed a Response (Doc. No. 15).

Magistrate Judge Brown issued a Report and Recommendation ("Report") (Doc. No. 16)

recommending that Plaintiff's Motion be denied and the decision of the Commissioner affirmed.

The Report was filed on September 23, 2009, and no objections to the Report have been filed.

Upon review of the record in this case, the Court finds the Report to be well-founded and **ADOPTS** it in its entirety. Accordingly, the Court hereby **DENIES** Plaintiff's Motion and **AFFIRMS** the decision of the Commissioner.

It is so ORDERED.	+	
Entered this	13	day of October, 2009

JOHN T. NIXON, SENIOR JUDGE UNITED STATES DISTRICT COURT